

AMENDED IN SENATE APRIL 21, 2014

**SENATE BILL**

**No. 1420**

---

**Introduced by Senator Wolk**

February 21, 2014

---

An act to amend Sections 10631 and 10644 of the Water Code, relating to water management.

LEGISLATIVE COUNSEL'S DIGEST

SB 1420, as amended, Wolk. Water management: urban water management plans.

Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan. Existing law requires an urban water management plan to quantify, past and current water use, and projected water use, identifying the uses among water use sectors, including, among others, commercial, agricultural, and industrial *uses*. Existing law requires an urban water supplier to submit copies of its plan and copies of amendments or changes to the plan to certain entities, including the Department of Water Resources.

This bill would require an urban water management plan to quantify and report on distribution system water loss. The bill would authorize water use projections to display and account for the water savings estimated to result from adopted codes, standards, ~~ordinance, and ordinances, or~~ transportation and land use ~~plans plans, when that information is available and applicable to an urban water supplier.~~ The bill would require the plan, or amendments to the plan, *to* be submitted electronically to the department and include any standardized forms, tables, or displays specified by the department.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 10631 of the Water Code is amended to  
2 read:

3 10631. A plan shall be adopted in accordance with this chapter  
4 that shall do all of the following:

5 (a) Describe the service area of the supplier, including current  
6 and projected population, climate, and other demographic factors  
7 affecting the supplier's water management planning. The projected  
8 population estimates shall be based upon data from the state,  
9 regional, or local service agency population projections within the  
10 service area of the urban water supplier and shall be in five-year  
11 increments to 20 years or as far as data is available.

12 (b) Identify and quantify, to the extent practicable, the existing  
13 and planned sources of water available to the supplier over the  
14 same five-year increments described in subdivision (a). If  
15 groundwater is identified as an existing or planned source of water  
16 available to the supplier, all of the following information shall be  
17 included in the plan:

18 (1) A copy of any groundwater management plan adopted by  
19 the urban water supplier, including plans adopted pursuant to Part  
20 2.75 (commencing with Section 10750), or any other specific  
21 authorization for groundwater management.

22 (2) A description of any groundwater basin or basins from which  
23 the urban water supplier pumps groundwater. For those basins for  
24 which a court or the board has adjudicated the rights to pump  
25 groundwater, a copy of the order or decree adopted by the court  
26 or the board and a description of the amount of groundwater the  
27 urban water supplier has the legal right to pump under the order  
28 or decree. For basins that have not been adjudicated, information  
29 as to whether the department has identified the basin or basins as  
30 overdrafted or has projected that the basin will become overdrafted  
31 if present management conditions continue, in the most current  
32 official departmental bulletin that characterizes the condition of  
33 the groundwater basin, and a detailed description of the efforts  
34 being undertaken by the urban water supplier to eliminate the  
35 long-term overdraft condition.

1 (3) A detailed description and analysis of the location, amount,  
2 and sufficiency of groundwater pumped by the urban water supplier  
3 for the past five years. The description and analysis shall be based  
4 on information that is reasonably available, including, but not  
5 limited to, historic use records.

6 (4) A detailed description and analysis of the amount and  
7 location of groundwater that is projected to be pumped by the  
8 urban water supplier. The description and analysis shall be based  
9 on information that is reasonably available, including, but not  
10 limited to, historic use records.

11 (c) (1) Describe the reliability of the water supply and  
12 vulnerability to seasonal or climatic shortage, to the extent  
13 practicable, and provide data for each of the following:

14 (A) An average water year.

15 (B) A single dry water year.

16 (C) Multiple dry water years.

17 (2) For any water source that may not be available at a consistent  
18 level of use, given specific legal, environmental, water quality, or  
19 climatic factors, describe plans to supplement or replace that source  
20 with alternative sources or water demand management measures,  
21 to the extent practicable.

22 (d) Describe the opportunities for exchanges or transfers of  
23 water on a short-term or long-term basis.

24 (e) (1) Quantify, to the extent records are available, past and  
25 current water use, over the same five-year increments described  
26 in subdivision (a), and projected water use, identifying the uses  
27 among water use sectors, including, but not necessarily limited to,  
28 all of the following uses:

29 (A) Single-family residential.

30 (B) Multifamily.

31 (C) Commercial.

32 (D) Industrial.

33 (E) Institutional and governmental.

34 (F) Landscape.

35 (G) Sales to other agencies.

36 (H) Saline water intrusion barriers, groundwater recharge, or  
37 conjunctive use, or any combination thereof.

38 (I) Agricultural.

39 (J) Distribution system water loss.

(2) The water use projections shall be in the same five-year increments described in subdivision (a).

(3) (A) For the 2015 urban water management plan update, the distribution system water loss shall be quantified for ~~a minimum period of one year prior to 2015~~ *the most recent 12-month period available*. For all subsequent updates, the distribution system water loss shall be quantified for each of the five years preceding the plan update.

(B) The distribution system water loss quantification shall be reported in accordance with a worksheet approved or developed by the department through a public process. The *water loss quantification* worksheet shall be based on the water system balance methodology developed by the American Water Works Association.

(4) (A) ~~A~~ *If available and applicable to an urban water supplier, water use projection projections may display and account for the water savings estimated to result from adopted codes, standards, ordinances, and or transportation and land use plans identified by the urban water-supplier supplier, as applicable to the service area.*

(B) ~~The~~ *To the extent that an urban water supplier reports the information described in subparagraph (A), an urban water supplier shall provide do both of the following:*

(i) *Provide citations of the various codes, standards, ordinances, and or transportation and land use plans utilized in making the accounting described in subparagraph (A) projections.*

~~(C) An urban water supplier shall indicate~~

(ii) *Indicate the extent that a the water use projection considers water projections consider savings from codes, standards, ordinances, and or transportation and land use plans. A water Water use projection projections that does do not account for these water savings shall indicate be noted of that fact.*

(f) Provide a description of the supplier's water demand management measures. This description shall include all of the following:

(1) A description of each water demand management measure that is currently being implemented, or scheduled for implementation, including the steps necessary to implement any proposed measures, including, but not limited to, all of the following:

1 (A) Water survey programs for single-family residential and  
2 multifamily residential customers.

3 (B) Residential plumbing retrofit.

4 (C) System water audits, leak detection, and repair.

5 (D) Metering with commodity rates for all new connections and  
6 retrofit of existing connections.

7 (E) Large landscape conservation programs and incentives.

8 (F) High-efficiency washing machine rebate programs.

9 (G) Public information programs.

10 (H) School education programs.

11 (I) Conservation programs for commercial, industrial, and  
12 institutional accounts.

13 (J) Wholesale agency programs.

14 (K) Conservation pricing.

15 (L) Water conservation coordinator.

16 (M) Water waste prohibition.

17 (N) Residential ultra-low-flush toilet replacement programs.

18 (2) A schedule of implementation for all water demand  
19 management measures proposed or described in the plan.

20 (3) A description of the methods, if any, that the supplier will  
21 use to evaluate the effectiveness of water demand management  
22 measures implemented or described under the plan.

23 (4) An estimate, if available, of existing conservation savings  
24 on water use within the supplier's service area, and the effect of  
25 the savings on the supplier's ability to further reduce demand.

26 (g) An evaluation of each water demand management measure  
27 listed in paragraph (1) of subdivision (f) that is not currently being  
28 implemented or scheduled for implementation. In the course of  
29 the evaluation, first consideration shall be given to water demand  
30 management measures, or combination of measures, that offer  
31 lower incremental costs than expanded or additional water supplies.  
32 This evaluation shall do all of the following:

33 (1) Take into account economic and noneconomic factors,  
34 including environmental, social, health, customer impact, and  
35 technological factors.

36 (2) Include a cost-benefit analysis, identifying total benefits and  
37 total costs.

38 (3) Include a description of funding available to implement any  
39 planned water supply project that would provide water at a higher  
40 unit cost.

(4) Include a description of the water supplier's legal authority to implement the measure and efforts to work with other relevant agencies to ensure the implementation of the measure and to share the cost of implementation.

(h) Include a description of all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water ~~use~~ *use*, as established pursuant to subdivision (a) of Section 10635. The urban water supplier shall include a detailed description of expected future projects and programs, other than the demand management programs identified pursuant to paragraph (1) of subdivision (f), that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in average, single-dry, and multiple-dry water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.

(i) Describe the opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply.

(j) For purposes of this part, urban water suppliers that are members of the California Urban Water Conservation Council shall be deemed in compliance with the requirements of subdivisions (f) and (g) by complying with all the provisions of the "Memorandum of Understanding Regarding Urban Water Conservation in California," dated December 10, 2008, as it may be amended, and by submitting the annual reports required by Section 6.2 of that memorandum.

(k) ~~Urban~~ *An urban* water ~~suppliers~~ *supplier* that ~~rely~~ *relies* upon a wholesale agency for a source of water shall provide the wholesale agency with water use projections from that agency for that source of water in five-year increments to 20 years or as far as data is available. The wholesale agency shall provide information to the urban water supplier for inclusion in the urban water supplier's plan that identifies and quantifies, to the extent practicable, the existing and planned sources of water as required by subdivision (b), available from the wholesale agency to the urban water supplier over the same five-year increments, and during various water-year types in accordance with subdivision

1 (c). An urban water supplier may rely upon water supply  
2 information provided by the wholesale agency in fulfilling the plan  
3 informational requirements of subdivisions (b) and (c).

4 SEC. 2. Section 10644 of the Water Code is amended to read:

5 10644. (a) (1) An urban water supplier shall submit to the  
6 department, the California State Library, and any city or county  
7 within which the supplier provides water supplies a copy of its  
8 plan no later than 30 days after adoption. Copies of amendments  
9 or changes to the plans shall be submitted to the department, the  
10 California State Library, and any city or county within which the  
11 supplier provides water supplies within 30 days after adoption.

12 (2) The plan, or amendments to the plan, submitted to the  
13 department pursuant to paragraph (1) shall be submitted  
14 electronically and shall include any standardized forms, tables, or  
15 displays specified by the department.

16 (b) (1) Notwithstanding Section 10231.5 of the Government  
17 Code, the department shall prepare and submit to the Legislature,  
18 on or before December 31, in the years ending in six and one, a  
19 report summarizing the status of the plans adopted pursuant to this  
20 part. The report prepared by the department shall identify the  
21 exemplary elements of the individual plans. The department shall  
22 provide a copy of the report to each urban water supplier that has  
23 submitted its plan to the department. The department shall also  
24 prepare reports and provide data for any legislative hearings  
25 designed to consider the effectiveness of plans submitted pursuant  
26 to this part.

27 (2) A report to be submitted pursuant to paragraph (1) shall be  
28 submitted in compliance with Section 9795 of the Government  
29 Code.

30 (c) (1) For the purpose of identifying the exemplary elements  
31 of the individual plans, the department shall identify in the report  
32 water demand management measures adopted and implemented  
33 by specific urban water suppliers, and identified pursuant to Section  
34 10631, that achieve water savings significantly above the levels  
35 established by the department to meet the requirements of Section  
36 10631.5.

37 (2) The department shall distribute to the panel convened  
38 pursuant to Section 10631.7 the results achieved by the  
39 implementation of those water demand management measures  
40 described in paragraph (1).

- 1     (3) The department shall make available to the public the
- 2     standard the department will use to identify exemplary water
- 3     demand management measures.

O